

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JEFFREY DAVID EVANS

COMPLAINANT

v.

RATTLESNAKE RIDGE WATER DISTRICT

DEFENDANT

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) CASE NO. 95-372
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O R D E R

On January 30, 1996, the Commission received a Motion for Dismissal from Rattlesnake Ridge Water District ("Rattlesnake Ridge"). The motion was based on the assertion that the Complainant had failed to respond to an Order of the Commission directing him to provide the factual and legal grounds for his contention that Rattlesnake Ridge should be required to run a water line to his property. Rattlesnake Ridge stated that without such information it cannot adequately prepare itself for the hearing scheduled for February 6, 1996.

The Complainant in fact filed a timely response to the Order in question with the Commission on November 10, 1995. Therefore, the Commission has determined that Rattlesnake Ridge's Motion for Dismissal should be denied. However, as the Commission's Order of November 3, 1995 required the parties not only to file their responses with the Commission, but to furnish a copy to the other party as well, the hearing will be postponed. The Complainant should expeditiously provide Rattlesnake Ridge a copy of its

response to the Commission's Order as well as copies of any other documents filed with the Commission. Failure on the part of the Complainant to provide Rattlesnake Ridge copies of these and any future filings shall result in the dismissal of his Complaint.

IT IS THEREFORE ORDERED that:

1. Rattlesnake Ridge's Motion for Dismissal received January 30, 1996 is denied.
2. The Complainant shall serve Rattlesnake Ridge with a copy of his response to the Commission's November 3, 1995 Order within five days of the date of this Order.
3. The Complainant shall expeditiously serve Rattlesnake Ridge with any other documents filed with the Commission in the course of this proceeding.
4. The hearing scheduled for February 6, 1996, is postponed until February 29, 1996, at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 1st day of February, 1996.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director